

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	
CONCEPCION MALINEK,	)	
	)	No. 19 CR 277
Defendant,	)	
	)	Judge Chang
and	)	
	)	
EDWARD JONES,	)	
	)	
Third-Party Respondent.	)	

**AGREED MOTION OF THE UNITED STATES FOR TURNOVER ORDER**

The United States of America, by John R. Lausch, Jr., United States Attorney for the Northern District of Illinois and Concepcion Malinek, by her attorney Lawrence Beaumont, moves for a turnover order, and in support states as follows:

1. The court entered a restitution judgment against defendant Concepcion Malinek on April 22, 2021. Dkt. 96. As of September 13, 2021, Malinek has an outstanding balance of \$82,659.03.
2. The United States may use any federal or state procedure to enforce the judgment. 18 U.S.C. §§ 3613(a) and (f). A citation to discover assets directed to the third-party respondent Edward Jones was issued on August 3, 2021, and Malinek was served on or around August 6, 2021, with statutory notice. Dkt. 113.
3. Third-party citation respondent Edward Jones answered the citation to discover assets on September 13, 2021. A copy of the answer is attached as Exhibit A. Edward Jones stated that at the time the citation was served it had in its possession or under its control, property

belonging to Malinek. The United States is entitled to \$82,659.03 from the accounts belonging to Malinek which is not exempt from garnishment.

4. Defendant Malinek and the United States have agreed to the turnover of \$82,659.03 of funds from the investment accounts ending in 20537, 97795, and 25515, that are being held by the respondent, which are not exempt from garnishment to satisfy the outstanding restitution, 18 U.S.C. § 3613(a) and 26 U.S.C. § 6334.

5. The Clerk of the Court collects all payments on monetary penalties imposed in criminal cases; accordingly, all payments should have “No. 19 CR 277” written in the lower left corner of the check and be submitted to:

Clerk of the Court  
U.S. District Court, Northern District of Illinois  
219 South Dearborn Street, 20th Floor  
Chicago, Illinois 60604

6. The United States has provided all notices required by law.

WHEREFORE, the United States requests entry of a turnover order directing the respondent, Edward Jones, to liquidate \$82,659.03 from the accounts ending in 20537, 97795, and 25515 and belonging to Concepcion Malinek, and submit to the Clerk of the Court \$82,659.03,

minus the amount of any mandatory tax withholding, which represents Malinek's interest in the accounts held by Edward Jones which are not exempt from garnishment, to be applied to the outstanding judgment.

Respectfully submitted,

JOHN R. LAUSCH, Jr.  
United States Attorney

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**Edward Jones**

September 13, 2021

VIA EMAIL ONLY TO: [Scott.Heffron@usdoj.gov](mailto:Scott.Heffron@usdoj.gov)  
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NUMBER OF PAGES: 1  
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**ACKNOWLEDGMENT OF RESTRICTED STATUS**

**RE: Edward Jones Accounts # XXX-XX537; XXX-XX795; XXX-XX515  
Concepcion Malinek  
Case No. 19-CR-277**

Edward Jones is in receipt of the Citation/Court Order in the matter of the above referenced person, ordering the restriction of funds in the above referenced Edward Jones accounts. Edward Jones hereby acknowledges that the Accounts have been restricted according to the terms and conditions hereinafter described.

The value of the above-referenced accounts are as follows:

\$45,726.13 for (x537) as of the time of the writing of this letter  
\$38,022.57 for (x795) as of the time of the writing of this letter  
\$1,071.91 for (x515) as of the time of the writing of this letter

Please be advised that securities investments fluctuate in value and Edward Jones does not guarantee the value of this account.

Edward Jones only has the authority to restrict assets that are being held in an Edward Jones account.

Edward Jones acknowledges that the securities deposited in the account, including all principal, interest and/or dividends, may not be withdrawn or transferred except pursuant to an express written Citation/Court Order. The account coding has also been changed so that any sales proceeds or income credited to the account will be retained in the account.

If you have any questions, please contact me at (314) 515-0433 or at [Stefanie.King@edwardjones.com](mailto:Stefanie.King@edwardjones.com).

Sincerely,



Stefanie King  
Paralegal